

### **Remarks**

Claims 1-61 are pending in the application. All claims stand rejected. By this paper, claims 1-16, 20-34, 35-53, and 58-65 have been amended. Reconsideration of all pending claims herein is respectfully requested.

### **Interview**

Applicant wishes to thank the Examiner for the courtesy of the interview on October 10, 2006, in which the undersigned discussed with the Examiner a clarification to the claims. Specifically, the undersigned proposed amending the claims to make it clear that video windows are arranged within the user interface based on a ranking of the associated video streams. The Examiner suggested that this was unclear in the earlier set of claims.

### **Claim Rejections**

Claims 1-61 were rejected under 35 U.S.C. 103(a) as being unpatentable over Arnott and Liwerant et al. ("Liwerant"). This rejection is respectfully traversed. Claim 1 has been amended merely to clarify the argument presented in Applicant's Pre-Appeal Brief, *i.e.*, that the claimed invention relates to how multiple video windows are arranged within a user interface. In the previous set of claims, Applicant used the phrase "displayed video streams" rather than "video windows." However, Applicant respectfully submits that the context in which "video streams" was used clearly indicated that the claim was referring to "video windows." For example, in the previous set of claims, claim 1 recited that "said ranking is to determine the relative

locations of the video streams within the user interface.” Applicant is unsure how this limitation could be interpreted other than relating to an arrangement of video windows.

To advance prosecution of the application, however, Applicant has amended claim 1 remove any doubt about what is being claimed. As amended, claim 1 recites a method for organizing video windows on a display screen comprising:

receiving a plurality of video streams at a network terminal;

simultaneously displaying the video streams in a plurality of respective video windows within a user interface provided by the network terminal, the user interface being presented upon the display screen;

ranking within the network terminal at least a portion of the video streams according to a set of ranking criteria, wherein said ranking is to determine the relative locations within the user interface of the respective video windows; and

arranging the locations of at least a portion of the plurality of video windows within the user interface in order of the ranking of the respective video streams as determined by the ranking criteria.

Thus, as amended, claim 1 clearly relates to a process of arranging video windows based on a ranking of the respective video streams displayed within those windows. For example, a user’s cable set top box (STB) might receive 16 separate video streams, which are displayed in a 4 x 4 grid of video windows. The claimed invention relates to how a particular video stream is selected to be in the top-left corner of the 4 x 4 grid as opposed to the bottom-right corner.

As the Examiner correctly points out, Arnott discloses the steps of receiving a plurality of video streams and simultaneously displaying the video streams within a user interface. However, Arnott is completely silent about how those video windows

are to be arranged. Furthermore, Arnott says nothing about rearranging the video windows in response to changes in rankings of the respective video streams.

The addition of Liwerant does not cure the deficiencies of Arnott. Liwerant relates to a process of streaming video over a computer network. In essence, a video segment is first received by a receiving computer. The receiving computer determines whether the video segment is in a streaming video segment. The receiving computer then stores the video segment and communicates an identification tag for the segment to another computer. Thereafter, the receiving computer streams the video segment to the destination computer. See Abstract.

The Office Action cites to paragraph [0074] (reproduced below) of Liwerant in rejecting most of the limitations of the independent and dependent claims.

[0074] A sharing module 1580 streams the video segment in streaming video format to the destination computer in response to a return of the identification tag to the receiving computer. The video segment is streamed over the network 22 or another network such as the Web. The sharing module 1580 can stream the video segment to a specified computer. The sharing module 1580 can stream the video segment at a selected bitrate. The sharing module 1580 can stream the video segment at a selected transmission quality. The sharing module 1580 can stream the video segment at a selected performance level. The sharing module 1580 can stream streams the video segment in a selected format.

Applicant respectfully submits that neither the cited paragraph nor any of the rest of Liwerant's disclosure teaches or suggests arranging video windows on a display screen based on rankings assigned to the video streams being displayed within those windows. For example, Liwerant discloses streaming at a selected bitrate, transmission quality, performance level, and format. However, none of these measures have anything to do with the relative arrangement of video windows within

a user interface. Applicant respectfully notes that Liwerant's reference to "format" relates to a "streaming video format," as discussed in paragraphs [0069] and [0070]. Therefore, Liwerant's "format" has nothing to do with arrangement or ordering of video windows.

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art." MPEP § 2143.03. Because these limitations are not taught or suggested by either of the cited references, a prima facie case of obviousness has not been established. Accordingly, claim 1 is believed to be patentably distinct. All other independent claim have been amended with similar clarifications. Accordingly, all claims are believed to be in condition for allowance.

Claims 2-8 recite different approaches for ranking the video streams and thereby changing the arrangement of the displayed video windows in the user interface, *i.e.*, recency of scene changes (claim 2-3), frequency of scene changes (claim 4), number of users watching (claim 5), time of day (claim 6), day of the week (claim 7), etc. In Applicant's response to the Office Action mailed June 16, 2005, Applicant added the limitation of "***thereby changing the location of the first video stream within the user interface***" to claims 2-8. This limitation has been presently amended to recite "thereby changing the location of the video window used to display the first video stream within the user interface." Thus, claim 2, as amended, clearly sets forth that an arrangement of video windows within a user interface is affected by a particular ranking of the underlying video streams. Applicant respectfully submits

that none of the specifically-recited ranking criteria are disclosed or suggested by the art of record.

As amended, claim 14 recites “visually emphasizing the video window associated with the video stream of highest rank within the user interface.” An example of visual emphasis is presented in FIG. 8 of the present application, in which video stream (window) 401a is enlarged relative to the other video streams (as recited in claim 15). None of the cited references disclose or suggest visually emphasizing a particular video window based on a video stream rankings.

Claim 62 recites the step of rearranging at least a portion of the video windows within the user interface to reflect a change in rank associated with a first video stream. This step is illustrated in FIG. 7 of the present application, in which one video window is promoted to the upper-left corner of the screen to indicate a change in rank. None of the cited references disclose or even suggest arranging multiple video windows by rank of the underlying video streams, let alone rearranging the video windows in response to a change in rank.

Claim 64 recites ordering the video windows within the user interface from left to right in order of decreasing rank, whereas new claim 65 recites ordering the video windows within the user interface from top to bottom in order of decreasing rank. These limitations are not disclosed or even suggested by the cited references.

For at least these reasons, all claims are believed to be in condition for allowance. A Notice of Allowance is respectfully requested.

Respectfully submitted,

**Digeo, Inc.**

By

A handwritten signature in black ink, appearing to read 'Kory D. Christensen', written over a horizontal line.

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